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SDMS DocID 2024769

May 31, 2002

CONTAINS CONFIDENTIAL BUSINESS INFORMATION

BY FEDERAL EXPRESS

Mr. Henry J. Sokolowski, P.E., Chief
Enforcement and Federal Facilities Branch
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: EPA Information Request Under Section 104(e) of
CERCLA dated April 15, 2002; Lower Darby Creek Area Superfund Site

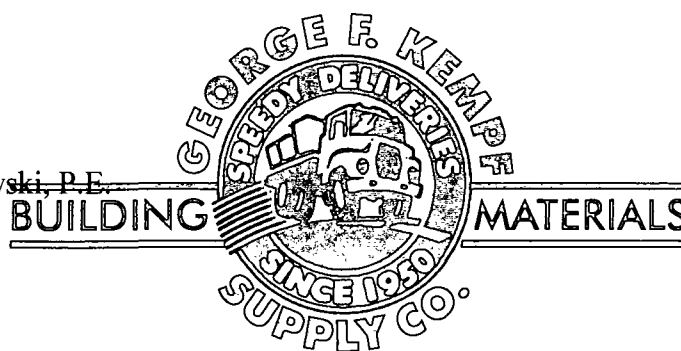
Dear Mr. Sokolowski:

The George F. Kempf Supply Company ("Kempf" or "Respondent") submits the following response to EPA's Request for Information under Section 104(e) of CERCLA dated April 15, 2002.

As Kempf is a privately held company, much of the information provided below is confidential business information. Please do not disclose information contained in this response or its attachments to third parties without the consent of Kempf.

By way of background, Kempf's sole location was at 51st and Grays Avenue in Philadelphia, during the time period of 1958-1976. This location, as you may know, was very close to the City of Philadelphia incinerator, which was believed to be operational during the relevant time period. It is also believed that Kempf's trash generally was hauled by the City of Philadelphia or taken directly to the incinerator by Kempf employees during the relevant time period.

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Responses to Specific Questions

1. General information about Respondent.

- (a) Dates and states of incorporation of Respondent: 1950; Pennsylvania.
- (b) The date and original state of incorporation of Respondent: 1950; Pennsylvania.
- (c) Parent corporation of Respondent, if any, and all subsidiaries or other affiliated entities: not applicable.

2. The current nature of the business or activity conducted at Respondent's establishments in the Philadelphia, Pennsylvania area is building materials supply. The nature of Respondent's business or activity between 1958 and 1976 was also building materials supply. The nature of the business or activity has changed somewhat from the period of 1958 to 1976 to the present, including the fact that certain building supplies have been phased in or out of use at various times (e.g., steel studs versus wood studs).

3. The following persons currently are employed by Respondent who have or may have personal knowledge of Respondent's operations and waste disposal practices between 1958 and 1976 at Respondent's facilities in the Philadelphia, Pennsylvania area are as follows: Winfield Joseph Kempf, Chairman and Secretary, George F. Kempf Supply Company, Philadelphia, PA; dates of employment: 1956-present; current address as stated as above for Respondent; Terry Bolden, clerical employee, dates of employment: 1977-present; current address as stated above for Respondent; Margaret McKenzie, clerical employee, dates of employment: 1970-present; current address as stated above for Respondent; Ben Henderson, yard man, 1971-present; current address as stated above for Respondent. Past employees who

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may have relevant knowledge are as follows: (last known addresses are not readily available but may be available upon further investigation: Ed Rivers, John Bellamy; William Adams.

4. The sole owner or operator of Respondent's establishment in the Philadelphia, Pennsylvania area from 1958 to the present has been George F. Kempf Supply Company. The officers of that company have been as follows: George F. Kempf, President, 1950 until deceased; Winfield J. Kempf, Chairman and Secretary, 1956-present; Robert Kempf, President, 1996-present; Donald Taylor, Treasurer.

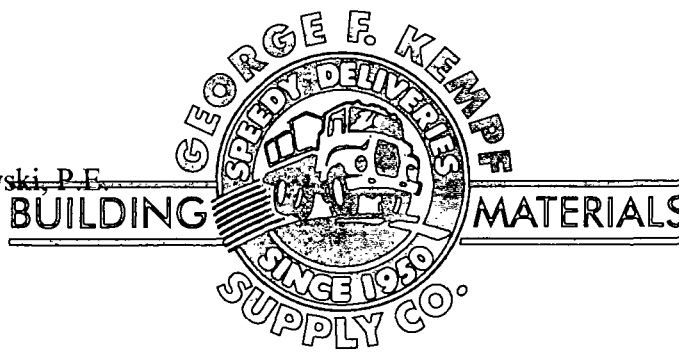
(a) 1958-present;

(b) building materials supply;

(c) Respondent believes that waste was disposed of by the City of Philadelphia during the time 1958-1976 with the possible exception stated in response to 7(d) below. No other names of waste haulers have been recalled or identified by any current employee of Respondent for the time period 1958 to 1976. Waste has been hauled only in recent years, but only much later than 1976, by the following waste haulers: Accurate Waste Haulers (Philadelphia, Pennsylvania location); Browning Ferris (Wilmington, Delaware location); Eastern Waste (Trenton, New Jersey location).

5. Respondent has no record of any documents generated or maintained concerning the handling and/or generation, storage, treatment, transportation, recycling, reformulation or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976. Respondent believes that no documents may have been kept in the normal course of business during the relevant time period. Respondent is unaware of any hazardous substance that it handled, generated, stored, treated, transported, recycled, formulated or disposed of between 1958 and 1976.

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- (a) See above.
- (b) Not known.
- (c) Not known.

6. Respondent is unaware of any hazardous substance used, generated, purchased, stored, or otherwise handled at its establishment in the Philadelphia, Pennsylvania area between 1958 and 1976. Respondent believes that only building supply materials or office trash may have been disposed of during the time period 1958 to 1976.

(a)-(f) Not applicable.

7. Respondent believes that the waste generated, stored, transported, treated, disposed of, released, or otherwise handled by its establishment between 1958 and 1976 may have consisted of the materials listed in response to question 6 above.

(a) Waste was placed in trash cans inside and outside the facility or next to trash cans, or on occasion may have been carried on a company truck, as detailed in (d) below.

(b) Solid.

(c) Not known – waste was generally placed in trash cans or adjacent to cans if unable to fit in the cans; no dumpster or larger container was used;

(d) Trash cans were generally used at Respondent's establishment; Respondent is unaware of the particular individuals and/or companies that may have disposed of or treated any byproduct or waste, but believes that at the relevant time the City of Philadelphia was the recipient of Respondent's waste; in addition, on occasion certain discarded materials may

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have been hauled by Kempf employees to a dump located near the end of Lindbergh Boulevard, in Philadelphia.

(e) Pick up of trash from Respondent's place of business.

8. None known.

9. None known.

10. None known.

11. No.

12. Various former employees may have removed trash by taking trash to the incinerator across the street; on occasion drywall material may have been taken to a dump near the end of Lindbergh Boulevard.

13. No.

14. None known.

15. (a) Winfield H. Kempf, Secretary-Treasurer, mailing address and business telephone number as stated above; other present employees identified in response to question 3, mailing address and business telephone number as stated above.

(b) Respondent respectfully requests that further correspondence or telephone calls be directed to its counsel at Stevens & Lee, who has communicated with EPA in regard to the above matters. Inquiries can be submitted through counsel to Winfield H. Kempf, Secretary-Treasurer of Respondent.

16. (a) Seven years for most records.

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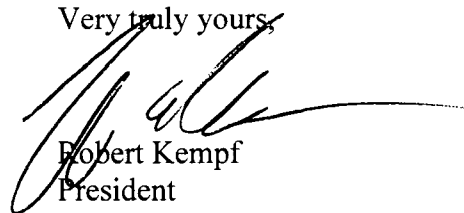
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- (b) Trashed.
- (c) None known.
- (d) Not applicable.

Kempf reserves the right to supplement this response should it discover additional responsive information.

Should EPA have further questions regarding this matter, please contact our counsel, David J. Parsells, Stevens & Lee, at (610) 293-5882.

Very truly yours,



Robert Kempf
President

/mm